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JLR

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,577	12/29/2000	Ross Miller	AT00092	8368

24710 7590 09/23/2003

ALIGN TECHNOLOGY, INC.  
ATTENTION: BAO Q. TRAN  
881 MARTIN AVENUE  
SANTA CLARA, CA 95050

[REDACTED] EXAMINER

ART UNIT	PAPER NUMBER
[REDACTED]	[REDACTED]

DATE MAILED: 09/23/2003

16

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT      PAPER

16

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Commissioner for Patents

See attached sheet.

***Informal Brief***

The appeal brief filed on August 15, 2003 is defective because it does not meet the requirement of a statement that claims do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

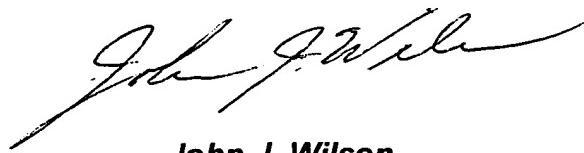
Appellant does state that the claims do not stand or fall together, and that claims 1, 6, 12, 20, 26, 34 and 35 each independently define elements patentable over the cited art. However, appellant then states that claims 1 and 20 and also claims 6 and 26 stand together. These statements are confusing because they appear to be in contradiction. Further, while appellant has stated that claims stand together, the requirement to provide reasons why claims do not stand or fall together has not been provided.

To avoid dismissal of the appeal, appellant must submit the necessary additional copies of the appeal brief within the longest of any of the following TIME PERIODS: (1) ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication; (2) within the time period for reply to the action from which appeal has been taken; or, (3) within two months from the date of the notice of appeal under 37 CFR 1.191. Extensions of these time periods may be granted under 37 CFR 1.136.

Art Unit: 3732

***Conclusion***

Any inquiry concerning this communication should be directed to John Wilson at telephone number (703) 308-2699.



***John J. Wilson***  
**Primary Examiner**  
**Art Unit 3732**

jjw

September 22, 2003

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Work Schedule: Monday through Friday, Flex Time